

## REMARKS

Applicant hereby requests further consideration of the application in view of the amendments above and the comments that follow.

### **The Objection to the Drawings**

A replacement sheet incorporating the requested change is submitted herewith, along with corresponding amendments to the specification. The proposed amendments are supported by the specification as filed. Applicant requests approval of the replacement drawing sheet and withdrawal of the objection to the drawings.

### **Status of the Claims**

Claims 1-15 and 17-20 are pending in the application. Claim 9 is objected to as being in improper form. Claims 1-20 stand rejected under Section 112. Claims 1-3, 7, 8 and 10 stand rejected under Section 102 as being anticipated by U.S. Patent No. 2,852,932 to Cable (hereinafter "Cable"). Claims 1-3, 7, 8, 10 and 15 stand rejected under Section 102 as being anticipated by Swiss Patent No. 579 693 to Gossenberg (hereinafter "CH '693"). Claims 1-3, 7, 8, 10 and 13 stand rejected under Section 102 as being anticipated by European Patent No. 617,182 to Wedl (hereinafter "EP '182"). Claims 11, 12, 14 and 17-20 stand rejected under Section 103 as being unpatentable over Cable. Claims 4 and 5 stand rejected under Section 103 as being unpatentable over Cable in view of U.S. Patent No. 4,712,309 to Kingston et al. (hereinafter "Kingston"). Claim 6 stands objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### **The Objection to Claim 9**

Claim 9 has been amended to depend from Claim 1 only.

**The Rejections under Section 112**

Claims 1 and 20 have been amended to delete the language indicated by the Action to be unclear. Accordingly, Applicant respectfully submits that the Section 112 rejection is now moot with regard to these claims.

New dependent Claims 21 and 22 have been added reciting subject matter similar to that deleted from Claims 1 and 20 and employing revised language. Applicant submits that the subject matter of new Claims 21 and 22 is properly recited and in compliance with the requirements of Section 112. If the Examiner regards these claims as being indefinite, Applicant respectfully requests that the Examiner contact the undersigned to suggest suitable language.

**The Rejections under Sections 102 and 103**

Claims 1, 17 and 20 have each been amended to further recite that "the tiling guide is sufficiently pliable that it may be rolled into a spiral when not in use". Applicant submits that a tiling guide as claimed is not taught or suggested by the cited art. Moreover, a tiling guide as claimed would not have been obvious to the ordinarily skilled artisan in view of the cited art. The rejections of Claims 1, 17 and 20 should be withdrawn. Each of Claims 2-15, 18, and 21-24 depends from one of Claims 1, 17 and 20, and therefore these claims are also allowable for at least the foregoing reasons.

**Claim 6 and New Claims 25-27**

The Action indicates that Claim 6 would be allowable if rewritten in independent form. Claim 6 has been so amended except that the recitation of Claim 1 regarding the tiling guide being sized to be obscured when grouted has been omitted. Applicant submits that Claim 6 as so amended is patentable nonetheless.

New Claim 25 recites a method employing a tiling guide as recited in Claim 6 as amended. Claim 26 depends from Claim 25 and further recites a step of rolling the tiling guide into a spiral. New Claim 27 recites a pack of tiles including a tiling

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guide as recited in Claim 6 as amended. Accordingly, Applicant submits that each of new Claims 25-27 is likewise clearly allowable.

**CONCLUSION**

Applicant submits that the present application is in condition for allowance and the same is earnestly solicited. Should the Examiner have any matters outstanding of resolution, he is encouraged to telephone the undersigned at 919-854-1400 for expeditious handling.

Respectfully submitted,



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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mailstop Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 7, 2003.



Lyndsey D. Hall

Date of Signature: August 7, 2003